

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	5:19-cv-00335-VBF (GJS)	Date	May 1, 2020
Title	Daniel Treglia v. John McMahon, et al.		

Present:	Hon. Gail J. Standish, United States Magistrate Judge		
	E. Carson	N/A	
	Deputy Clerk	Court Reporter / Recorder	
	Attorneys Present for Plaintiff:	Attorneys Present for Defendant:	
	None present	None present	

Proceedings: (IN CHAMBERS) Order To Show Cause Re: Failure To Provide Court With Valid Address And Possible Dismissal

On April 7, 2020, the Court issued an “Initial Order in Civil Rights Cases” informing Plaintiff of his obligations in prosecuting his civil rights case in this Court. The copy of the April 7 Order served upon Plaintiff at his docket address of record (the Richard J. Donovan Correctional Facility) was returned by the U.S. Postal Service to the Clerk’s Office on April 28, 2020, as undeliverable, with a notation “Return to Sender.” [Dkt. 20].

Local Rule 41-6 provides that:

A party proceeding *pro se* shall keep the Court and opposing parties apprised of such party’s current address and telephone number, if any, and e-mail address, if any. If mail directed by the Clerk to a *pro se* plaintiff’s address of record is returned undelivered by the Postal Service, and if, within fifteen (15) days of the service date, such plaintiff fails to notify, in writing, the Court and opposing parties of said plaintiff’s current address, the Court may dismiss the action with or without prejudice for want of prosecution.

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More than 15 days have passed since the April 7 Order was served on Plaintiff at his docket address of record, and Plaintiff has not filed a notice of his new address, or otherwise contacted the Court to provide a current address. Although it is Plaintiff's obligation to keep the Court apprized of his current address, the Court's staff nonetheless has checked the Inmate Locator function for the California Department of Corrections and has determined that there no longer is an entry for Plaintiff at Richard J. Donovan Correctional Facility, which suggests that he is out of custody. To date, Plaintiff has failed to comply with the Local Rule 41-6 requirement that he submit a Notice of Change of Address for filing when his address changed. Given Plaintiff's failure to provide the Court with a current address or other means of contacting him, the Court has no means of communicating with him, given his failure to provide the Court with a telephone number or email address.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why the Court should not dismiss this action for failure to comply with Local Rule 41-6. **By no later than May 8, 2020**, Plaintiff shall file a response to this Order To Show Cause explaining why he has failed to comply with Local Rule 41-6. Alternatively, Plaintiff may discharge his obligation under this Order To Show Cause by simply filing the required Local Rule 41-6 Notice of Change of Address by the May 8, 2020 deadline.

Plaintiff is cautioned that the failure to comply with this Order To Show Cause will result in a recommendation that this action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and/or Local Rule 41-6 for want of prosecution.

IT IS SO ORDERED.